

To : Fairfax County Board of Supervisors

From : Gerry Hyland, Supervisor
Mount Vernon District

Subject: **BOARD MATTERS for January 29 2013**

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For your consideration, I submit the following Board Matters accompanied by a brief explanation. Your support will be appreciated.

1. Request to Withdraw PCA 81-S-075

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Background

Madam Chairman, PCA 81-S-075 was initiated by a Board's Own Motion in 1994 to permit a proffered condition amendment on 5.64 acres zoned I-5 located on Tax Map 98-2 ((15)) G, H, and I to allow access between Fullerton Road and Rolling Road. The application was deferred indefinitely in July 1994 and the need for the application has been superseded by construction of the Fairfax County Parkway.

Proposed Action

Therefore, Madam Chairman, I move that the Board withdraw PCA 81-S-075.

2. Smoking Rebuttal

Background

On December 7, 2012, the Office of the County Attorney responded to the Board of Supervisor's questions related to the regulation of smoking. The opinion definitively answered the questions that the Board of Supervisors, by Virginia law, cannot consider an applicant's use of tobacco products in hiring decisions nor can we make abstinence from tobacco usage a condition of employment as we do for public safety employees. Fairfax County does have the authority to educate and encourage our employees to get training on the health benefits of smoking cessation as part of our training programs on job skills and health and well-being.

I would like to see an expansion of our current training program to involve county employees who use tobacco products with an aim to encourage them to quit. Furthermore, I would like the Board to endorse legislation that would grant more authority to local governments to extend the prohibition to other areas like our public parks, public schools grounds, playgrounds and other appropriate locations deemed by the Board.

Proposed Action

Therefore, Madam Chairman, I move that the Board of Supervisors refer this matter to the Board's Personnel and Reorganization Committee and Legislative Committee for discussion.